

AGENDA ITEM

US FOREST SERVICE COST/SHARE SUMMARY Supplement No. 11 Flathead National Forest

June 18, 2007

RIGHT-OF-WAY-APPLICATION FILE NO. 14290

I. **Applicant:**

USDA-Forest Service
Region 1
Lolo National Forest
Missoula MT 59808

II. **Purpose of Reciprocal Cost-Share Agreement:**

State land is intermingled with private and US Forest Service lands administered by the Lolo National Forest. In order for both the State of Montana and the US Forest Service to gain legal access, it is necessary to exchange easements as provided by the Master Cost/Share Agreement with the US Forest Service.

III. **Legal Description:**

The State of Montana and the US Forest Service in the following described lands will exchange standard Cost/Share easements with Right-of-Way widths of 60 to 66 feet: Sections 20, 21, 22, and 23, Township 20 North, Range 27 West P.M.M.

IV. **General Information:**

Tributary area, right of way area, and miles of road are summarized as follows:

	State Share	USFS Share	Total
Tributary Area:	119 Acres	14,243 Acres *	16,948 Acres
Right of Way Area:	5.42 Acres	6.16 Acres	11.58 Acres
Miles of Road:	0.75 Miles @ 60'	0.77 Miles @ 66'	1.52 Miles

ROW widths are 66' USFS to State and 60' State to USFS.

*-USFS Share includes all non-State ownerships in the tributary area.

Land Office: NWLO
Unit Office: Plains
County: Sanders
Beneficiary: D. & D. A.
Lessee Agreement: N/A
Land Classification: Forest

V. Costs to be Borne by Each Party:

Excess costs, by land value and road costs, were determined by negotiation with the USFS Lolo National Forest in accordance with the principals found in the Master Cost Share Agreement. The Summary of Shares and Excess Costs for Supplement 11 are summarized as follows:

	EXCESS COSTS	
	Gov't Owes State	State Owes Gov't
Land Value	\$ 0.00	\$ 304.00
Road Costs	\$ 2,334.00	\$ 166.00
Total Value/Costs	\$ 2,334.00	\$ 470.00
Amount Owed*	\$ 1,864.00*	\$ 0.00

***Upon approval by the Land Board and exchange of deeds, the USFS owes the State of Montana \$1,864.00, which will be applied to the Master Cost Share Balance Sheet.**

VI. Results of MEPA Analysis:

The Management Forester for the Plains Unit prepared the final decision for the Environmental Assessment (MEPA) for the proposed project. The Plains Unit Manager, approved the Categorical Exclusion. The USFS prepared and approved a Categorical Exclusion for the project (NEPA). All roads involved in this project are existing and no adverse comments were received by the Department regarding this Cost Share project.

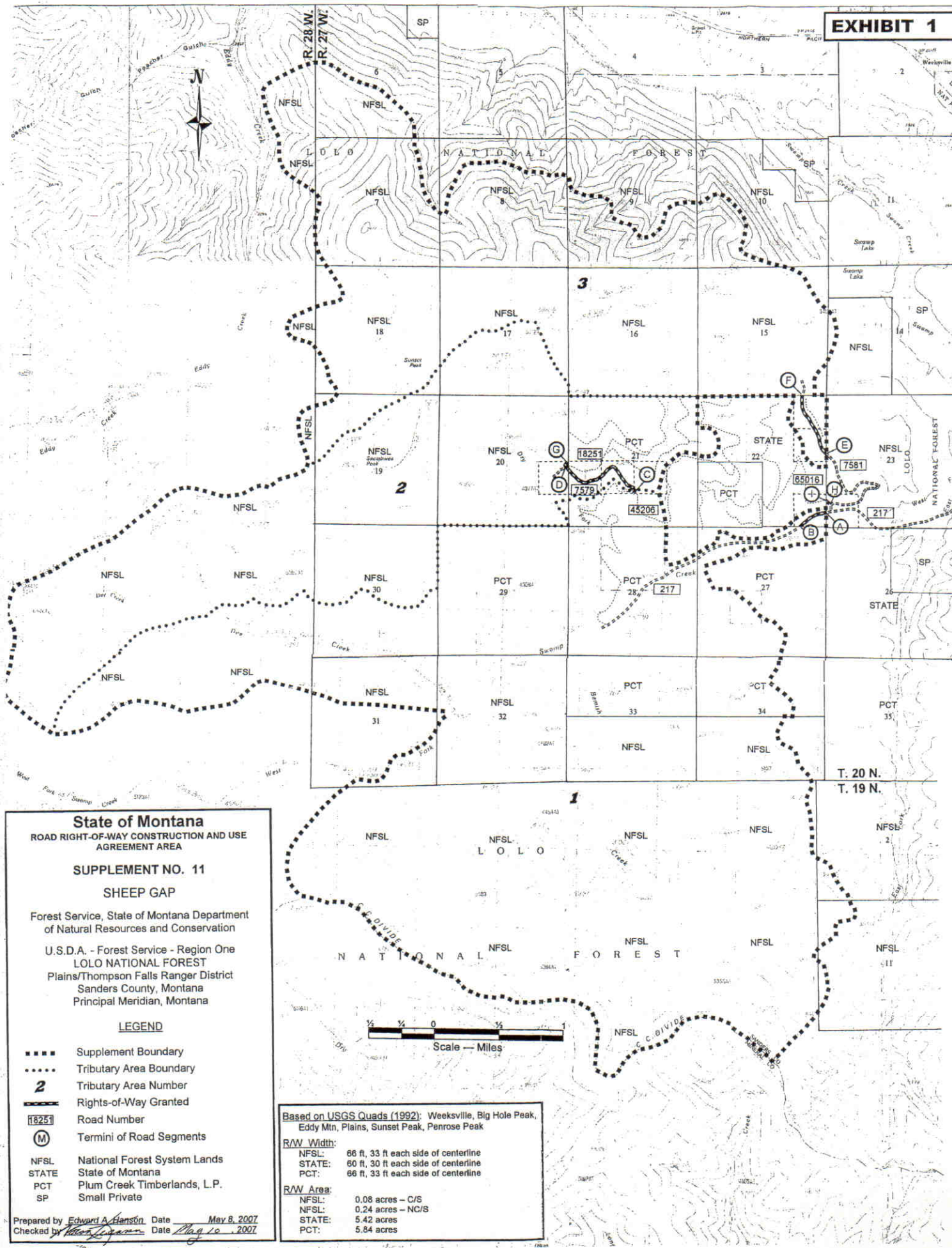
VII. Benefits to State:

1. The easements obtained provide new permanent access to State Trust Lands totaling 119 acres and tertiary access to an additional 264 acres in Section 22 Township 20 North, Range 27 West, P.M.M., Sanders County, Montana.
2. The US Forest Service Roads covered by this supplement are currently maintained as "open roads" which allows for motorized public access to both State and Federal land.
3. The completion of a Cost/Share project allows for the State to gain access controlled by the USFS across private ownerships. Further, the State is able to partially recover reconstruction costs as part of a timber sale thereby reducing the cost of easement acquisition.
4. This Cost Share Agreement is consistent with the Administrative Rules pertaining to transportation planning (A.R.M. 36.11.421), which involve planning and coordinating department needs with adjacent landowners.
5. This is the most cost effective method of obtaining permanent All Lawful Purposes Access due to the sharing of road construction and maintenance costs on an equitable basis with an adjacent landowner.
6. Permanent, all lawful purpose access increases current and future management options on State trust land for trust beneficiaries. While the State may choose not to realize these benefits in the short term, the long-term values and options are enhanced as a result of the ability to explore all future land uses and revenue options.

7. As land values in Sanders County continue to escalate and properties are subdivided, the State of Montana's ability to secure access is expected to become more difficult (dealing with multiple owners) and cost prohibitive.

VIII. **Recommendation/Action:**

After review of the documents, exhibits, and benefits to the State, the Director of the Department of Natural Resources and Conservation recommends approval of the Sheep Gap Cost Share Supplement No. 11 with the US Forest Service.



SHEEP GAP USFS COST-SHARE

